

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

In Re:

LLS AMERICA, LLC,

Debtor,

BRUCE P. KRIEGMAN, solely in his  
capacity as court-appointed Chapter 11  
Trustee for LLS America, LLC,

Plaintiff,

v.

1140966 ALBERTA, LTD,

Defendant.

NO: 12-CV-68-RMP

Bankr. Case No. 09-06194-FPC11

Adv. Proc. No. 11-80102-FPC11

JUDGMENT AND JUDGMENT  
SUMMARY AGAINST MARVIN  
TOEWS AND 1140966 ALBERTA,  
LTD.

**JUDGMENT SUMMARY**

1. Judgment Creditor: Bruce P. Kriegman, Liquidating  
Trustee for LLS America, LLC, as  
consolidated
2. Attorneys for Judgment Creditor Witherspoon Kelley

3. Judgment Debtors: Marvin Toews and 1140966 Alberta, Ltd., jointly and severally
4. Attorneys for Debtors: Foster Pepper, PLLC
5. Judgment Amount (Principal) \$3,913,478.44
6. Prejudgment Interest at .47% \$93,478.52  
(7/21/09 – 8/18/14) (1,855 days)
7. Total Judgment \$4,006,956.90
8. Plus taxable costs in an amount to be determined by the Court
9. Interest Rate on Judgment: .11% (28 U.S.C. § 1961)

Plaintiff filed Notice of Presentment pursuant to Federal Rules of Civil Procedure 52(a)(1) and 58(a), (d). ECF No. 116. The Court previously entered its Findings of Fact and Conclusions of Law, ECF No. 114, which are fully incorporated here with the same force and effect as if set forth verbatim. The Court being fully advised, **IT IS HEREBY ORDERED** that:

1. Plaintiff, Bruce P. Kriegman, solely in his capacity as court-appointed Chapter 11 Trustee for Debtor LLS America, LLC, is awarded Judgment against Defendants Marvin Toews and 1140966 Alberta, Ltd., jointly and severally, as follows:

- a. Judgment \$3,913,478.44
- b. Plus prejudgment interest from July 21, 2009 to August 18, 2014 at the federal rate \$93,478.52

1 of .47% per annum

2 c. Plus taxable costs in an amount to be  
3 determined by the Court

4 d. Plus post-judgment interest from the date  
5 of Judgment until fully paid at the federal  
6 rate of 0.11% per annum (28 U.S.C. §  
7 1961); and

8 2. All proofs of claim filed by the Defendants in Debtor's Bankruptcy  
9 proceedings or any claims that may hereafter arise are disallowed pursuant to 11  
10 U.S.C. § 502(d) unless and until the avoided transfers are returned to the Trustee-  
11 Plaintiff.

12 **IT IS SO ORDERED.**

13 The District Court Executive is directed to enter this Order and to provide  
14 copies to counsel and to Judge Frederick P. Corbit.

15 **DATED** this 7th day of October 2014.

16 *s/ Rosanna Malouf Peterson*

17 ROSANNA MALOUF PETERSON  
18 Chief United States District Court Judge  
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